

1871-130  
BGE:jmp

525 Rec'd PCT/PTO 15 SEP 2000



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of ) BOX PCT  
Linda Anne CROFTS et al. ) Filing Under 35 USC 371  
Serial No. 09/509,482 ) International Application  
Filed: March 29, 2000 ) No. PCT/AU98/00817  
For: ISOFORMS OF THE HUMAN ) Filed 29 September 1998  
VITAMIN D RECEPTOR )

RESPONSE TO NOTIFICATION OF MISSING  
REQUIREMENTS UNDER 35 U.S.C. 371

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Pursuant to a Notification of Missing Requirements Under 35 U.S.C. 371 dated May 17, 2000, response copy attached, a Declaration and Power of Attorney identifying the above-referenced application by PCT Number and Filing Date is being herewith submitted. Also attached is a check in payment of the following fees:

\$ 130.00	Surcharge for Providing Declaration later than the 30 months from the priority date
870.00	Fee for 3-month extension of time to respond to Notification of Missing Requirements
<u>\$1,000.00</u>	TOTAL

09/19/2000 AGIZAW 00000007 09509482

01 FC:154  
02 FC:117

130.00 OP  
870.00 OP

The PTO did not receive the following listed item(s) No \$40.00 check  
+ assignment paper  
NW

Please note that on the Declaration and Power of Attorney forms the addresses of three of the inventors has changed from those in the PCT filing and the spelling of the first name of one inventor, Manuela S. Hancock, has been corrected.

Also enclosed is an Assignment with form 1595 and a check for \$40.00.

Please charge any additional fees or credit any overpayment for the payment of the filing fee, any extra claims fees or the surcharge to deposit account number 02-2135. An additional copy of this letter is enclosed for that purpose.

Respectfully submitted,

By Barbara G. Ernst

Barbara G. Ernst  
Attorney for Applicants  
Registration No. 30,377  
ROTHWELL, FIGG, ERNST & MANBECK, p.c.  
Suite 701-E, 555 13th Street, N.W.  
Washington, D.C. 20004  
Telephone: (202) 783-6040

Enclosure(s): Four copies of Declaration and Power of Attorney  
Check \$1,000  
Four copies of Assignment with Form 1595 and check  
for \$40.00  
Copy of Notification of Missing Requirements

09/509482



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: ASSISTANT COMMISSIONER FOR PATENTS  
Box PCT  
Washington, D.C. 20231

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/509,482	CROFTS	

BARBARA G ERNST  
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555 13TH STREET N W  
WASHINGTON DC 20004

5071

INTERNATIONAL APPLICATION NO.
1971-130

PCT/AU98/00817

I.A. FILING DATE	PRIORITY DATE
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09/29/98

09/29/97

DATE MAILED:

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),  
☒ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

☐ a non-English language.

☒ English.

☐ Translation of the international application into English.

☐ Oath or Declaration of inventors(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☒ The International Preliminary Examination Report in English and its Annexes, if any.

☒ Translation of Annexes to the International Preliminary Examination Report into English.

☒ Preliminary amendment(s) filed 29 MAR 00 and

☒ Information Disclosure Statement(s) filed 29 MAR 00 and

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed

☐ Statement Claiming Small Entity Status.

☒ Priority Document.

☒ Copy of the International Search Report ☐ and copies of the references cited therein.

☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.

☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.  
5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

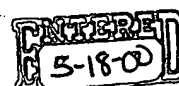
**A copy of this notice MUST be returned with this response.**

Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Telephone: 703 495-5000



Due 6-18-00